

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DANIEL RAVICHER, derivatively :
on behalf of BANK OF AMERICA CORPORATION, :
JPMORGAN CHASE & CO., and WELLS FARGO & :
COMPANY, :

Plaintiff, :

- against - :

BRIAN T. MOYNIHAN, et al., :
Defendants, :

- and - :

BANK OF AMERICA CORPORATION, JPMORGAN :
CHASE & CO., and WELLS FARGO :
& COMPANY, all Delaware corporations, :
Nominal Defendants. :

13 Civ. 1665 (LLS)

**NOTICE OF MOTION TO
DISMISS THE VERIFIED
SHAREHOLDER
DERIVATIVE COMPLAINT**

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PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendants' and Nominal Defendants' Motion to Dismiss the Verified Shareholder Derivative Complaint, and all prior pleadings and proceedings in this action, defendants, by their undersigned counsel, will move this Court before the Honorable Louis L. Stanton, at the United States Courthouse, 500 Pearl Street, New York, New York 10007, at a date and time to be set by the Court, for an order pursuant to Rules 9(b), 12(b)(6), and 23.1 of the Federal Rules of Civil Procedure and applicable Delaware law, dismissing with prejudice the claims asserted against them, along with such other and further relief as the Court deems just and proper. Nominal defendants Bank of America Corporation, JPMorgan Chase & Co., and Wells Fargo & Co. join only in that portion of the motion seeking dismissal pursuant to Rule 23.1.

Dated: New York, New York
August 9, 2013

Respectfully submitted,

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